

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/750,179	POSSAMAI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Timothy P. Solak	3746	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the application filed on 12/31/2003.
2. ☒ The allowed claim(s) is/are 1-10.
3. ☒ The drawings filed on 31 December 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☒ Certified copies of the priority documents have been received in Application No. 10/332,206.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br/>Paper No./Mail Date <u>12/31/03</u></li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</li> <li>6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date <u>02/01/2005</u>.</li> <li>7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____.</li> </ol> |
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## **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Louis DelJuidice on 002/01/2005.

The application has been amended as follows:

### *In the Claims:*

In Claim 1, line 6, "the cylinder" has been deleted and --a cylinder-- substituted therefore.

In Claim 1, line 9, "the axial" has been deleted and --an axial-- substituted therefore.

### *In the Title:*

In the title, "Suction and discharge valve" has been deleted, and --Valve-- substituted therefore.

### *In the Disclosure:*

On page 1, before the first line, --This application is a continuation of application 10/332,206 filed 01/03/2003, now abandoned, which is a National Stage of PCT/BR01/00084,

filed 07/02/2001, which claims priority to Brazil PI0003292-1, filed 07/17/2000.-- has been inserted.

On page 6, line 12, "axis 3" has been deleted and --axis-- substituted therefore.

On page 6, line 30, "gasket 5" has been deleted and --gasket-- substituted therefore.

On page 9, line 15, "inn" has been deleted and --in-- substituted therefore.

### ***Reasons for Allowance***

The following is an examiner's statement of reasons for allowance: the prior art of record, does not teach or make obvious the apparatus of Claim 1, specifically a suction and discharge valve arrangement for a small hermetic compressor having a compression cylinder, a valve plate and a suction pipe disposed adjacent to the valve plate and substantially orthogonal to a cylinder axis characterized in that the valve plate is provided with a discharge orifice substantially centralized in relation to an axial projection of the internal contour of the compression cylinder; at least one suction orifice occupying an annular sector substantially concentric to at least one of the internal contour of the compression cylinder and discharge orifice in order to maintain with the latter a certain minimum spacing and defining at least part of a suction passage with an end opened to the inside of the compression cylinder and an opposite end opened and connected to the suction pipe by means of a transition portion.

The closest related art of record is Hovarter (5,147,190) who discloses a valve plate having a discharge orifice substantially centralized in relation to an axial projection of the internal contour of the compression cylinder and at least one suction orifice occupying an

annular sector substantially concentric to at least one of the internal contour of the compression cylinder and discharge orifice. However, Hovarter fails to teach or make obvious a suction pipe disposed adjacent to the valve plate and substantially orthogonal to a cylinder axis or a suction passage with an end opened to the inside of the compression cylinder and an opposite end opened and connected to the suction pipe by means of a transition portion.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### ***Conclusion***

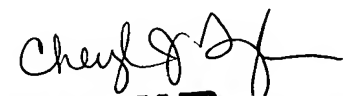
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy P. Solak whose telephone number is 571 272-4833. The examiner can normally be reached on Monday through Friday from 9am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cheryl J. Tyler can be reached on 571 272-4834. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
tps

February 1, 2005

  
**CHERYL TYLER**  
**SUPERVISORY PATENT EXAMINER**